

REMARKS

Claims 1-8 are pending in the application. The Examiner has rejected Claims 1-8 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application No. 6,144,647 to Lopez-Torres. Reconsideration of this application is respectfully requested.

It is respectfully submitted that the Examiner is incorrect in rejecting Claims 1-8 under 35 U.S.C. §102(b) based on *Lopez-Torres*. *Lopez-Torres* neither discloses nor suggests each and every element of independent Claims 1, 3, 5 and 7, and thus it does not anticipate the claims.

Lopez-Torres discloses a communication system, a mobile services switching center for allowing a multi-dialogue communication to take place between a first subscriber station (MS1, MS2,...MSn) and a second subscriber station (ISDN ST1) through a mobile services switching center (MSC/VLR) of a public land mobile network (PLMN).

As an initial matter, 35 U.S.C. §102(b) states that: "A person shall be entitled to a patent unless (b) the invention was patented or described in this or a foreign country or in public use or on sale in this country, more than one (1) year prior to the date of application for patent in the United States." (emphasis added). Lopez-Torres was issued on November 7, 2000. The present application was filed on March 15, 2001 with a priority claim to March 15, 2000. Therefore, based on the filing date or the priority date of the present application, a §102(b) anticipation rejection is incorrect. Based on at least the foregoing, any rejection based wholly or in part on Lopez-Torres must be withdrawn and a new Office Action issued.

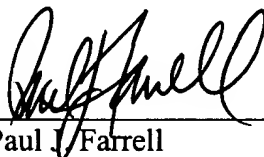
Furthermore, the Examiner failed to address each and every limitation of the claims,

particularly Claims 1, 3, 5 and 7, which are independent claims. For example, in Claim 1 the following limitation was not addressed: "receiving, by the base station, a resource assignment approval signal from the MSC through the formed signaling link." Accordingly, it is respectfully requested that each and every limitation is distinctly addressed in the next Office Action.

Independent Claims 1, 3, 5 and 7 are believed to be in condition for allowance. Furthermore, without conceding the patentability per se of dependent Claims 2, 4, 6 and 8 they are likewise believed to be allowable by virtue of their dependence on independent Claims 1, 3, 5 and 7. Accordingly, we will request reconsideration and withdrawal of the rejections of dependent Claims.

The application as now presented, containing Claims 1-8 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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